

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KIMBERLEY A. CARPENTER, ARTHUR
ACKERT, JR., ARTHUR ACKERT, SR., DENNIS
LORE, and SUPERIOR WALLS OF THE HUDSON
VALLEY, INC.,

Plaintiffs,

- against -

MARIE PUPKE and EIFFEL INVESTMENT GROUP
AND ASSOCIATES, LLC.,

Defendants.

LAZER, APTHEKER'S
MOTION FOR LEAVE
TO WITHDRAW AS
DEFENDANTS'
COUNSEL

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EIFFEL INVESTMENT GROUP AND
ASSOCIATES, LLC.,

Civil Action No. 07-civ-
5689 (KMK/LMS)

Counterclaim-Plaintiff,

- against -

AACK LAND DEVELOPMENT, LLC., FAIRVIEW
BLOCK AND SUPPLY CORP., and HORIZON
REAL PROPERTY DEVELOPMENT, LLC.,

Counterclaim-Defendants.

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PLEASE TAKE NOTICE that, pursuant to Local Civil Rule 1.4, upon the
accompanying affidavit of David Lazer, sworn to on February 15, 2008 and the affidavit of
Michele A. Pincus, sworn to on February 14, 2008 (copies omitted from documents served
upon counsel for plaintiffs'/counterclaim-defendants and third-party defendants), Lazer,
Aptheker, Rosella & Yedid, P.C., attorneys for defendants/counterclaim-plaintiffs/third-party
plaintiffs Marie Pupke ("Pupke") and Eiffel Investment Group and Associates, LLC ("Eiffel")

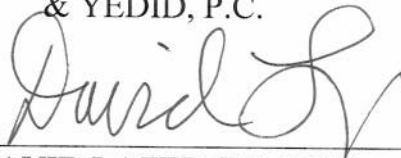
and collectively "Defendants") in this action, will move this Court, before Hon. Lisa M. Smith, United States Magistrate Judge, at the United States Courthouse, 300 Quarropas Street, White Plains, New York, at such time as to be determined by this Court for an order:

1. pursuant to Local Civil Rule 1.4, permitting Lazer, Aptheker, Rosella & Yedid, P.C. to withdraw as counsel for Defendants;
2. staying, continuing and extending the discovery deadlines in the existing scheduling order for a period of 30 days, or such other time as the Court may find appropriate, and
3. permitting LARY to file the affidavits supporting this motion under seal; and
4. granting such other relief as may appear just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b), opposing affidavits and memoranda of law, if any, are to be served upon the undersigned not more than ten (10) business days from the service of this motion.

Dated: Melville, New York
February 15, 2008

LAZER, APTHEKER, ROSELLA
& YEDID, P.C.

By: 
DAVID LAZER (DL-7441)

*Attorneys for Defendants/
Counterclaim-Plaintiffs/
Third-Party Plaintiffs*
225 Old Country Road
Melville, New York 11747
(631) 761-0800

TO: Marie Pupke
Eiffel Investment Group and Associates, LLC.
8266 Sawpine Road
Delray, Florida 33446

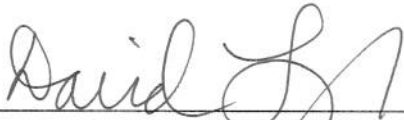
Vincent E. Bauer
Law Offices of Vincent E. Bauer
*Attorneys for Plaintiffs/ Counterclaim-Defendants/
Third-Party Defendants*
475 Park Avenue South, 25th Floor
New York, New York 10016
(212) 575-1517

Certificate of Service

I hereby certify that on February 15, 2008, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service upon the following parties and participants:

Vincent E. Bauer
Law Offices of Vincent E. Bauer
Attorney for Plaintiffs
475 Park Avenue South, 25th Floor
New York, NY 10016
(212) 575-1517

LAZER, APTHEKER, ROSELLA
& YEDID, P.C.


By: David Lazer (DL-7441)
*Attorneys for Defendants and
Counterclaim-Plaintiff*
225 Old Country Road
Melville, New York 11747
(631) 761-0800